

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

**IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION**

**MDL NO. 1968**

**THIS DOCUMENT RELATES TO ALL CASES**

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**UNOPPOSED MOTION FOR ADDITIONAL TIME FOR  
CLAIMANTS TO FILE CLAIM FORMS**

The Plaintiffs' Steering Committee respectfully requests an extension of time to file claim forms for the settlement program until April 1, 2011. Currently, PTO #73 requires each claimant to submit a claim form no later than March 15, 2011. The PSC has filed this extension on behalf of all claimants eligible to participate in the settlement program including those with cases filed in MDL 1968 ("MDL Cases"), claims subject to tolling agreements ("Tolled Claims"), and cases filed in state courts involving Digitek® ("State Cases").

Plaintiffs request this additional extension because the request and receipt of medical records is a very slow process. The medical records are now three to seven years old and many offices have sent the relevant records to storage facilities. Further, larger corporate facilities such as pharmacies and hospitals are reluctant to expedite record requests. As our previous request for an extension stated, Plaintiffs wish to avoid submitting incomplete claim packages which will only serve to waste the time and resources of the Special Master and the claim center. Plaintiffs will continue to submit claim forms as they are completed.

Counsel for Defendants have indicated they have no objection to an extension until April 1, 2011. The Special Master's office has also agreed to an April 1, 2011 deadline.

Plaintiffs respectfully request that the deadline for submitting claim forms be extended until April 1, 2011.

Dated: March 10, 2011

Respectfully submitted,

On Behalf of the Plaintiffs' Steering Committee

s/Fred Thompson, III Esq. \_\_\_\_\_

Fred Thompson, III, Esq.

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 10, 2011, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

s/Fred Thompson, III Esq.  
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